APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,646	10/30/2001	Thomas S. Grason	BELL-0155/01267	2028

38952	7590	08/25/2005	

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EXAMINER
BLENMAN, AVALON

ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/020,646	GRASON ET AL.
	Examiner	Art Unit	
	Avalon Blenman	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _24 February 2005_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-22 and 25-31_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-22 and 25-31_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

     1.☐ Certified copies of the priority documents have been received.

     2.☐ Certified copies of the priority documents have been received in Application No. _____.

     3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This office action is a <u>second action</u> in response to amendment and remarks filed

February 24th, 2005 and is made **FINAL**. Claims 1-22, & 25-31 are presented for further

consideration, of which 1, 12,17, & 22 are independent claims. Claims 1, 3, 5-13, 15-

17, & 20-22 are currently amended. Claims 23 & 24 have been cancelled. No claims

have been added.

Information Disclosure Statement

2.   The information disclosure statement (IDS) submitted on October 30th, 2001 is in

compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure

statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims **1, 2, 11, 12, and 17** are rejected under 35 U.S.C. 102(e) as being

anticipated by **Feit et al.,** hereinafter Feit. (US Pub. No. 2001/0056354). The rejection

is set forth in First Office Action mailed 02/24/2005. See Response to Arguments

below.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims **3, 5, 6, 15, 16, 20, & 21** are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Feit** in view of **Rubert. et al.**, hereinafter Rubert (US Patent

6,366,915). The rejection is set forth in First Office Action mailed 02/24/2005.

7.   Claim **7** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Feit** in

view of **Rubert**, and further in view of **Hunt** (US Publication 2002/0087657). The

rejection(s) is set forth in First Office Action mailed 02/24/2005.

8.   Claims **8, 9, & 10** are rejected under 35 U.S.C. 103(a) as being unpatentable

over **Feit**, in view of **Strahm et al.**, hereinafter Strahm (US Pub. No. 2003/0046337),

and further in view of **Langseth et al.**, hereinafter, Langseth (US Patent 6,741,980).

The rejection(s) is set forth in First Office Action mailed 02/24/2005.

9.   Claims **13 & 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Feit, in view of **Strahm.**

10.   In referencing to claims **13 & 18**, Feit discloses:

- maintaining a list of supported services provided by each of said information

   modules (service providers) (page 6, paragraph 54, lines 1-6).

Feit does not explicitly disclose service collisions of plural information modules.

Nonetheless, this feature would have been an obvious modification to the system

disclosed by Feit as evidenced by Strahm. In analogous art, Strahm discloses:

- (claims 13 & 18) handling service collisions if plural information modules

   (storage) are capable of responding to said type of information such that only one

   information module (storage) processes said request (page 4, paragraph 53-54)

   [*The monitor updates one information module (#212 storage) with the information*

   (web content) of another information module (storage #210), therefore both

   information modules would at one point contain the same type of information,

   thus being capable of responding to the request, however only one information

   module (storage #212) responds to the request.]

Given all of these features, a person of ordinary skill in the art would have readily

recognized the advantages and desirability of combing the teachings of Feit and Strahm

where in addition to maintaining a list of supported services of the information modules,

Feits's system would also allow only one of the information modules to reply to a

request during a service collision. The motivation would be so that the load on the

information modules could be reduced in the case of service collisions because only

one information module would respond to a request for the same type of information,

eliminating unnecessary processing of requests.

11.   Claims **22, 30, & 31** are rejected under 35 U.S.C. 103(a) as being unpatentable

over **Feit,** in view of **Rubert**, and further in view of **Strahm**. The rejection(s) for claims

30, & 31 are set forth in First Office Action mailed 02/24/2005.

12.   In referencing to independent claim **22**, Feit discloses a stateless module

manager (fig. 1, #14, Server) that manages a request for information received at a

mailbox (at an inherent email inbox, page 9, paragraph 179), comprising:

- a registry (qualification requirements) of information modules (service providers)

   (page 5, paragraph 50, lines 1-13)

- maintaining a list of supported services provided by each of said information

   modules (service providers) (page 6, paragraph 54, lines 1-6).

Although, Feit teaches these features, Feit does not explicitly disclose a module

loading function. Nonetheless, this feature would have been an obvious modification to

the system disclosed by Feit as evidenced by Strahm. In analogous art, Strahm

discloses:

- a module loading function (fig. 2. # 208, Web Content Monitor and Page Loader) for dynamically loading said information modules (fig. 3, # 212, Storage) upon receipt of said request (event) (page 4, paragraph 53-54)

- handling service collisions such that if plural information modules register as supporting a same service by determining which of said plural information modules will handle said request (page 4, paragraph 53-54).

Feit further discloses:

- said stateless stateless module manager (fig. 2, # 14, Server) routes said request to an appropriate information module (fig. 2, #18, Service Provider) for resolution (page 6, paragraph 52, lines 34-38).

Although, Feit teaches this feature, Feit does explicitly disclose a response returned to the stateless module manager (server) once the request is resolved at the appropriate information module (service provider). Nonetheless, this feature would have been an obvious modification to the system disclosed by Feit as evidenced by Rubert. Rubert discloses:

- said appropriate information module (DB sever) resolves said request and returns a response (fig. 3, #292) to said [QE of the] stateless module manager (IR System) (col. 10, lines 20-27)

Given all of these features, a person of ordinary skill in the art would have readily

recognized the advantages and desirability of combing the teachings of Fiet and Rubert

in view of Strahm where the Feit's information module could be loaded upon receipt of

the request and a response returned to the stateless module manager.

The motivation for doing so would be so that the requested content would be

dynamically loaded per request so as to update the information module since the last

request (see Strahm, page 4, paragraph 54). Additionally, the response could be

returned to the module manger, acting on behalf of the requestor.

13.   Claims **25-27** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Feit in view of **Rubert**, further in view of **Strahm**, further in view of **Langseth**. The

rejection(s) is set forth in First Office Action mailed 02/24/2005.

14.   Claims **4, 14, & 19** are rejected under 35 U.S.C. 103(a) as being unpatentable

over **Feit**, in view of **Hunt**, and further in view of **Bavadekar** (US Publication

2003/0009571). The rejection(s) is set forth in First Office Action mailed 02/24/2005.

15.   Claims **28 & 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Feit, in view of **Rubert**, in view of **Strahm** in view of **Hunt**, and further in view of

Bavadekar. The rejection(s) is set forth in First Office Action mailed 02/24/2005.

Response to Arguments

16.   Applicant's arguments filed February 24th, 2005 with respect to the rejects(s) of

claims(s) 1, 3, 5-13, 15-17, & 20-22 have been fully considered but they are not

persuasive.

- Applicant argues that claims 1, 3, 5-13, 15-17, & 20-22 as amended disclose a

    feature that is not taught by Feit (pg. 10). Examiner disagrees. Upon further

    consideration and research, Feit indeed inherently teaches the limitation of a

    stateless module manager. At the time of the invention, it was well known by one

    of ordinary skill in the art that the HTTP protocol is a stateless protocol. Every

    connection is negotiated from scratch and the server does not maintain a session

    connection with the client and each HTTP exchange is a completely independent

    event as the server does not save any information between client exchanges. As

    such, Feit's module manager is indeed a stateless module manager. In further

    support, the stateless module manger is also taught by Hunt (US 2002/0087657)

    [fig. 3, ¶0012-¶0016, ¶0042-¶0045], Bavadekar (US 2003/0009571) [¶0033], as

    well as the newly cited pertinent art, as set forth in the conclusion. Examiner

    therefore maintains that Fiet alone reads on the limitations as amended, and thus

    maintains the present rejection(s).

Conclusion

17.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

- Bowman-Amuah (US 6,615,253), Duckett et al. (US 2003/0053420), and Burd et al. (US 20041/0199577) disclose stateless servers responding to HTTP requests from a client.
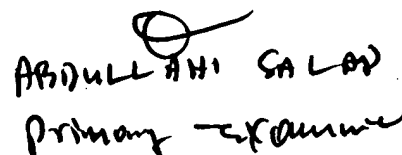
18.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Avalon Blenman whose telephone number is (571) 272-5864. The examiner can normally be reached on Mon-Fri, 7:00 AM - 4:30 PM (even date Mons. off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Avalon Blenman
08/11/2005

ABDULLAHI SALAD
Primary Examiner